

IN THE UNITED STATES DISTRICT COURT
SOUTHERN CALIFORNIA DISTRICT
FILED NUNC PRO TUNC
MAY - 7 2008
2008 MAY 14 PM 2:53

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CIVIL CASE NO. 08-0325 LAB (POR.)
By Eric W. Burton DEPUTY

DATE 5-02-08

NOTICE AND REQUEST OF THE
COMPOSITION OF RECORD FOR APPEAL
PURSUANT TO ERAP10, CRIMINAL JUSTICE
ACT; RULE 4(a)(4)(B); 28 U.S.C. § 2253(c);
MILES V. PRUNTY (9TH CIR. 1999) 187 F.3d 1104;
HOUSTON V. LACK (1988) 108 S.Ct. 2379.

REQUEST FOR COURT TO GIVE NOTICE TO
ALL PARTIES INVOLVED OF THE INSTANT
MATTER.

NOW COME THE PETITIONER ERIC W. BURTON #F02720, NOTICE IS HERE BY GIVEN TO,
THE ABOVE COURT, THE DIRECTOR OF C.D.C.A., THE ATTORNEY GENERAL, AND ALL
OTHER PARTIES INVOLVED IN THE INSTANT MATTER, THE PETITIONER AN INDIGENT
STATE PRISONER, MAKES THIS TIMELY REQUEST IN THE CORRECT JURISDICTION OF THE
SOUTHERN DISTRICT CALIFORNIA COURT OF THE U.S. DISTRICT COURT, AT THE GOVERNMENT'S
EXPENSE THE FOLLOWING ITEMS THAT CONSTITUTE THE RECORD ON APPEAL:
(1) THE ORIGINAL PAPERS AND EXHIBITS FILED BY THE PETITIONER THAT WAS TRANSFERRED
TO THE SOUTHERN DISTRICT COURT FROM THE EASTERN CALIFORNIA DISTRICT COURT
ON OR ABOUT 2-19-08, INCLUDING PETITIONER'S PROPER FORM FOR PETITION OF
FEDERAL HABEAS CORPUS, (2) THE TRANSCRIPT OF PROCEEDINGS, IF ANY, AND
(3) A CERTIFIED COPY OF THE DOCKET ENTRIES PREPARED BY THE DISTRICT
COURT CLERK. EXHIBITS A-G, CONTAIN ALL PERTINENT AND RELEVANT R.T. EXCEPTS,
NO TRANSCRIPT FROM TRIAL COURT WILL BE ORDERED FOR APPEAL, UNNECESSARY.
I DECLARE THAT UNDER THE PENALTY OF PERJURY THAT THE ABOVE AFOREMENTIONED
STATEMENTS ARE TRUE AND CORRECT BY THE LAWS OF THE UNITED STATES, SIGNED: Eric W. Burton #F02720
ERIC W. BURTON
DATED 5-02-08

MR. ERIC WILTON BURTON #F02720 IN PROPER
P.O. BOX 5246-CSATF/SP-CI-119L
CORCORAN, CA, 93212 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ERIC W. BURTON #F02720,
PETITIONER

v.

Case Number: CIVIL NO. 08-0325 (LABAR)

DIRECTOR, C.D.C.A.

RESPONDENT

PROOF OF SERVICE

I hereby certify that on 5-04-08, I served a copy
(2 PAGES)

of the attached MOTION TO PROCEED INFORMA PAUPERIS & ORDER INCORRECTLY
DENYING / DISMISSING FED. H.C. PETITION WITHOUT ADJUDICE, AND GRANTING
b) placing a copy in a postage paid envelope addressed to the person(s) hereinafter PERMISSION TO PROCEED INFORMA PAUPERIS, 4-PAGES. REQUEST FOR COMPOS-
ITION OF RECORD
FOR APPEAL
IN THE 9TH CIRCUIT.

filed, by depositing said envelope in the United States Mail at

P.O. BOX 5246-CSATF/SP-CI-119L, CORCORAN, CA, 93212

(1. st Name and Address of Each

Defendant or Attorney Served)

DIRECTOR, C.D.C.A.
ATTORNEY GENERAL OF CALIFORNIA

REQUEST COURT GIVE NOTICE TO ALL
PARTIES OF THE INSTANT MATTER

I declare under penalty of perjury that the foregoing is true and correct.

Eric W. Burton #F02720
(Signature of Person Completing Service)
ERIC W. BURTON #F02720